IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4004 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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MANIBEN DAHYABHAI PATEL

Versus

REGIONAL PASSPORT OFFICER

Appearance:

1. Special Civil Application No. 4004 of 2002

MR CA BHAKTA for Petitioner No. 1

MR DN PATEL for Respondent No. 1

CORAM : MR.JUSTICE P.B.MAJMUDAR

Date of decision: 12/04/2002

ORAL JUDGEMENT

#. Rule. Mr.Patel waives service of rule for the respondents. With the consent of the parties, the matter is taken up for final hearing today.

#. The grievance of the petitioner is that, initially, she was already granted passport, but subsequently it was cancelled on the ground that there is discrepancy in the place of birth. Initially, the place of birth of the petitioner was shown as Adalaj. Subsequently, it was found that, birth place of the petitioner is Kundal, Taluka Kadi, District Mahesana. The petitioner has prayed for necessary direction against the passport authority to issue her a fresh passport.

#. Considering the facts and circumstances of the case, the petitioner is directed to apply for fresh passport showing the correct place of birth which according to the petitioner is Kundal, Taluka Kadi, District Mahesana. If any such fresh application is made to the passport authority, the authority made decide the same in accordance with law and may pass appropriate order in the matter granting fresh passport to the petitioner showing corrected place of birth of the petitioner. Since the petitioner has not taken care earlier by producing cogent material, the petitioner is directed to pay costs of Rs.2000/- (Rupees two thousand only). The said amount of costs is to be deposited with the passport authority at the time of making the application.

#. In view of what is stated above, this petition is allowed. Rule is made absolute to the aforesaid extent with costs as quantified above. D.S.Permitted.

(P.B.Majmudar,J)
(pathan)